



ATTORNEY'S DOCKET NO. L0461/7066

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lethe et al.
Serial No: 09/341,829
Filed: October 18, 1999
For: LAGE-1 TUMOR ASSOCIATED NUCLEIC ACIDS
Examiner: M. Davis
Art Unit: 1642

RECEIVED

FEB 02 2001

FEB CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the 19th day of January, 2001.


Monica E. Zombori

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement mailed on October 2, 2000, Applicants elect group I, claims 1-3, 6-7, 17-19, 38 and 53 (wherein the nucleic acid is SEQ ID NO:4) with traverse.

Remarks

Applicants elect Group I with traverse, on the basis that the Examiner has not followed the International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) findings regarding unity of invention for the pending claims. The ISA and the IPEA both found unity of invention (PCT Rule 13) as evidenced by the absence of invitations to pay additional fees to search or examine additional inventions. Because the ISA and IPEA have already considered the unity of invention and have found the claims to share technical features, Applicants respectfully request that the Examiner withdraw the restriction of the claims in their entirety.